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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 08/879,070 | 06/19/1997 | JEROME D JOHNSON | 7709.130US01 | 9054 |

23552 7590 03/12/2002

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| EXAMINER |
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KALINOWSKI, ALEXANDER G

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2166

DATE MAILED: 03/12/2002

22

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2166

DETAILED ACTION

Requirement for Information Under 37 C.F.R. § 1.105

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. The information is required to identify publications embodying the disclosed subject matter of a method and system for facilitating a sale of a product from an inventory of a selling entity. The Examiner upon conducting a search for prior art, discovered three published document titled "Corporate profile for Clear with Computer" (copy attached), and "Sales Performer Configurator; Firepond and Renault"(copy attached). The "Corporate profile for Clear with Computer" document discloses a sales force automation software product called "Signature Plus" that was offered for sale at least as early as May 31, 1996. The "Sales Performer Configurator; Firepond and Renault" discloses a software product called "Sales Force Configurator" that was in use at Renault V.I. since 1996. In response to this requirement please provide any known

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publications, brochures, manuals and press releases that describe the “Signature Plus” and “Sales Force Configurator” software products that were the subject of the two articles.

3. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant’s first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant’s disclosure.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an

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item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

6. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 8:30 AM to 6:00 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 305-0040.

Alexander Kalinowski







AK

3/8/2002


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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Corporate profile for Clear With Computers

Business Wire; New York; May 31, 1996; [Gjerde, Michelle](#);

Sic:7372

Start Page: 1

Subject Terms: [Target markets](#)
[Software industry](#)
[Salespeople](#)
[Corporate profiles](#)

Classification Codes: 8302: *Software & computer services industry*

Geographic Names: US
Midwest
Mankato
MN

Companies: [Clear With Computers](#) Sic:7372

Abstract:

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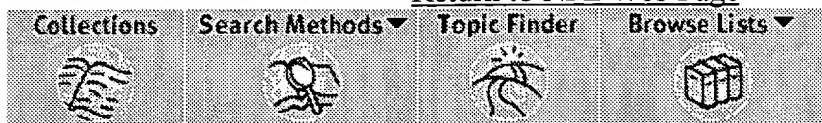
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These include Dow Jones News/Retrieval, Bloomberg Financial Markets, Reuter Company Newsyear, Reuter Business Briefing, DataTimes, Nexis, Dialog, NewsNet, [America OnLine](#), [CompuServe](#), Delphi, Individual's HeadsUp and First], Desktop Data's NewsEdge, UMI Data Courier, NewsBank, Information Access Company and many others.

Published date: May 31, 1996` ` Company name: Clear With Computers (CWC(R))` ` Address: 1983 Premier Drive` Mankato, MN` ` Telephone No.: 800-524-7407 or 507/388-5000` ` Chief Executive` Officer: Ray Tuomala` ` Chief Financial` Officer: Al Bennett` ` Investor Relations` Contact: n/a` Business number: n/a` Home number: n/a` ` Public Relations` Contact: Michelle Gjerde` Business number: 507/386-6218` Home number: 507/625-6482` ` Trading symbol: n/a` ` Industry: Sales Force Automation` ` Company description: Clear With Computers Inc. (CWC), the pioneer` and leader of the sales force automation software industry, was` founded in 1983 by President Jerry Johnson and CEO Ray Tuomala, in` Mankato Minnesota.` CWC currently serves more than 40 Fortune 500 clients and its` sales and training systems are being used by more than 45,000` salespeople worldwide. The fully-integrated sales system, called` **Signature Plus**, provides salespeople with all the tools they need to` manage their time with and without the customer.` CWC's **Signature Plus** features an easy-to-use interface which` enables the salesperson to address customer needs immediately The` salesperson is able to present multimedia feature and benefit` graphics and up-to-date product specification; and quickly **configure`** complex solutions, life cycle cost calculations, quotations,` financing options and create a personalized, printed proposal.` **Signature Plus** is supported by a wide range of services,` including data management, project management, system documentation,` training, user phone support, marketing, duplication/distribution,` and system and user administration.` CWC is headquartered in Mankato, Minnesota, and also services` its North American and international clients through subsidiary` offices in Minneapolis, MN; Detroit, MI; Dallas, TX; Amsterdam,` Netherlands; Lyon, France; Stockholm, Sweden; and Krefeld, Germany.` `

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| <u>2</u> | <u>signature pre/1 plus and pdn(<6/19/1997)</u> | 50 |
| <u>1</u> | <u>signature pre/1 plus and prospec and pdn(<6/19/1997)</u> | 0 |

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SalesPerformer Configurator

- Provide the right product recommendation every time, without the need to engage an expert
- Eliminate order errors
- Quote the right price for every sale

The industry-leading sales configuration engine that provides the intelligence needed to increase and accelerate sales.

Firepond's SalesPerformer Configurator™ is the industry's most powerful configuration system, comprised of three tightly integrated intelligence engines representing needs analysis, product configuration, and pricing. They automate the consultative process of matching products and services to a customer's exact specifications — from analyzing customers' needs to comparing and recommending product features, to configuring products, and then presenting accurate and consistent price quotes.

All three intelligence engines operate from the same set of data maintained with one intuitive tool set. Visual controls and natural language expressions are used instead of complicated coding to create and edit your business rules. The design environment allows non-technical business people to control product data and supports multiple users.

SalesPerformer Configurator is the "brain" behind every Firepond selling application, but is also offered independently to deliver needs analysis, product configuration, and pricing functionality to applications in any Web environment.

Detailed Product Configuration

SalesPerformer Configurator represents the n-layered, n-tiered rules, relationships and constraints that govern the way products and services are selected, and then customized with options. SalesPerformer Configurator applies this intelligence to every sale consistently, in any sales channel, to ensure that customers or salespeople can easily assemble complex product solutions and that orders are always accurate. Firepond utilizes a set of advanced inference engines called "solvers" that address the different types of representations found in even the most complex product configurations. SalesPerformer Configurator invokes these solvers to instantly interpret user selections and apply conditions, constraints, requirements, and compatibility rules. The system is entirely data-driven, making it easy to support selling in multiple languages and currencies.

Tailored Needs Analysis

Needs analysis is the process of intelligently analyzing captured information to recommend an appropriate product or option, or a short list of matching products from which to choose. Rather than requiring customers to fill out detailed, time-consuming lists of features and options, SalesPerformer Configurator works from high-level descriptions of intended use, preferences, priorities, or price sensitivity to deliver expert recommendations. By applying a powerful form of reasoning known as "fuzzy logic," SalesPerformer Configurator always finds the best solution, even when there isn't an exact match. This complex needs analysis process expands beyond simple rule-based recommendations by allowing:

- Result Ranking: Recommended products can be "ranked" by how closely they match defined requirements

Key Features

- Analyzes customer needs and provides concise product recommendations
- Configures and simplifies highly complex products and selling processes
- Models detailed pricing, promotions, discounts, and tax calculations
- Simplifies rule creation with multi-user, flexible editing environment
- Deploys easily on diverse Web platforms
- Fully supports selling in multiple languages and currencies

- Detailed Reasoning: All rankings can be verified with the reasoning used to arrive at the ranking
- Requirement "Filtering": Users can designate specific product features or attributes that are absolute requirements, generating displays of only those products matching the requirement 100%
- Weighting Preferences: Users can set priorities during needs analysis to specify, for example, that "lower price" is more important than "larger hard drive"
- Vocational Specification: Delivers a product recommendation based on intended use and/or environmental considerations instead of features

Powerful Pricing Functionality

SalesPerformer Configurator allows you to represent and accurately apply pricing in every transaction, no matter how detailed it is. It models sophisticated pricing strategies and scenarios including the following pricing methods:

- Rule-based pricing
- Package-based pricing
- Quantity-based pricing
- Effective date-based pricing
- Uplift factors pricing
- Margin-based pricing
- Customer-based pricing
- Geographic pricing
- Support for multiple currencies and conversions

Pricing is optimized for pricing owners and is easily managed with a dedicated editing utility that supports mass price updates and filtered views.

Intuitive, Flexible Data Maintenance Environment

The core of SalesPerformer Configurator is the configuration database, created using the Configurator's data modeling and editing tools. The configuration database includes the product data, descriptions, prices, and references to graphics, configuration rules, and business rules used to perform sales configuration in a selling application. For rapid run-time execution, the configuration database is compacted into a set of indexed, run-time files loaded into memory. SalesPerformer Configurator provides several flexible ways to create product relationships and business rules, adaptable to non-technical and technical users alike. A spreadsheet-based interface lets users easily create relationships between products using an intuitive interface. In addition, relationships can be created using natural language expressions rather than complicated technical jargon, greatly simplifying rule creation.

Additional Advantages

- Thin client data editing via the Web
- Multi-user enabled so different users can perform product updates
- Role-based administration facilities that define and permit access to various tasks. Users are granted access to the views and data appropriate for their roles or job function
- An importing tool to pull data in from existing enterprise data stores, as well as support for industry-leading visual importing tools
- A built-in browser-based test application and debugger to ensure data integrity
- Vertical templates to "jump-start" modeling configuration problems utilizing the solver types typical of a particular industry. These templates greatly accelerate the implementation

Java Connectivity

SalesPerformer Configurator utilizes powerful Java-based application programming interfaces (APIs), enabling flexible deployment on a variety of industry-leading application servers. An Enterprise Java Bean (EJB) API allows integration with J2EE-compliant application server platforms. A Java Native Interface (JNI) called JConfig is provided for integration with other third-party application server environments.

| System Requirements | |
|-----------------------------|---|
| Operating System | Windows NT 4.0 with SP4+ Windows 95/98 Windows 2000 SP1+ Solaris 2.6/7 |
| RAM | 128 MB (tools client) 256 MB (tools server) |
| Processor | 600 MHz Pentium |
| Browser | Microsoft Internet Explorer 5.0+ Netscape Navigator 4.7+ |
| Other Software Requirements | Oracle 8.06.2+/8i or MS SQL7.0/2000 Java Runtime Environment (JRE) 1.3 MDAC 2.1 or higher |
| EJB | EJB Specification is 1.1 Certified with: WebSphere 3.5.2 BEA Weblogic 6.0 Oracle Application Server 9i |

For more information on any of these products
visit www.firepond.com or e-mail sales@firepond.com



With Firepond, Renault V.I. achieves a human touch while dramatically improving order accuracy.

Renault V.I. is a global truck manufacturer with 17.9% market share of Europe's economic long haulage segment and 8.9% of the medium duty segment. Last year, its revenue was 3.57 billion euros and its head count was 18,130. Globally, Renault V.I. operates from 12 sites spread across Europe, Latin America, Africa, and Asia/Pacific.

Business

Challenges:

- Strengthen sales margins by satisfying customer needs
- Strengthen the direct relationship with major customers
- Reinforce presence in export markets
- Align strategy with industry trends towards customized manufacture rather than mass manufacture

Truck manufacturing is highly competitive. With a small number of global players vying for brand leadership, the race to satisfy customer needs and provide high-quality service is becoming a key differentiator. This translates into a need to provide custom solutions where the business problem, not the technical specification, drives the sale.

Renault's Business Objectives:

- Customers should be in a position to specify the best solution for their industry needs
- The Web portal should become a central repository for information pertinent to the customer
- The Web portal should be a way of generating and maintaining direct contact with major customers

RESULTS

- Achieved significantly reduced sales cycle
- Enabled dealers to focus on closing deals with customers
- Massive reduction in order administration
- Strengthened major customer relationships
- Localized for 14 languages

Meeting the demands of customer choice is a key metric against which enterprises are measured. But in truck making, the array of possible combinations provides a smorgasbord of options that can leave the customer confused. Renault V.I., which offers up to 150,000 possible combinations across a range of 350 models, wanted to

ensure that its customers receive the right truck for the job, at the right time, the first time. The traditional way of selling trucks has been to start with technical specifications and work backwards towards a solution. For example, a frozen food distributor will only be interested in refrigerated trucks, and a construction manager will be more interested in a vehicle that supports rough terrain. The ability to address these

issues first, rather than technical detail, provides the starting point for a meaningful discussion between Renault V.I. and its customers.

As Stefano Chmielewski, Renault V.I.'s Sales and Marketing VP, puts it: "We want to turn the problem on its head and first find out what our customers are trying to achieve." If a salesperson is to have a fruitful conversation with the customer, he needs tools oriented to the customer's perspective. At the same time, Renault V.I. wanted customers to be empowered to define their own solutions before initiating a sales contact. This way, customers would see Renault V.I. representatives as a valuable resource to help fine-tune their solutions.

Effective sales management in a complex environment is never easy. Renault V.I. believes it has successfully achieved its objectives, meeting its return on investment criteria. The savings in paperwork along with a significant reduction in both sales cycle and order entry errors has more than justified the project expenditure of one million euros. "We have found a way to use new technology effectively, yet retain the human touch."

**Stefano Chmielewski,
VP, Sales and Marketing,
Renault V.I.**



The Firepond Solution:

Guided Selling

Firepond provided a Web portal based on Firepond's SalesPerformer™ Configurator that Renault V.I. terms PartnerWeb. Renault V.I. has a five-year history of working with Firepond solutions. Since 1996, its 1,600-dealer sales staff have used laptops that hold all available truck models and options. The system eliminated configuration errors and allowed the sales staff to concentrate on customer requirements. Updating the system to one that uses a publicly available portal allowed Renault V.I. to put the customer first while keeping the dealer firmly inside the relationship.

Now, all customers have access to a solutions-driven information centre built around an interactive marketing catalogue. Customers can access Renault V.I. in one of three ways: through the Virtual Showroom, by selecting industry-specific needs, or directly through the Truck Configurator. The portal has been made available in 14 different languages.

Usability was high on Renault V.I.'s list of requirements. Customers are therefore presented with a "wizard" that quickly selects a vehicle based on a menu of main characteristics. A "solver" ensures that customers cannot select invalid option combinations. It will advise the customer about possible alternatives.

A routing capability allows the customer to view the finished configuration, and a link is displayed that allows the customer to locate a dealer. This is not limited to the nearest location, so the customer retains choice where there is an established dealer relationship. Renault V.I. dealers receive notification of the customer's needs and contact details by email, and respond directly to the customer within 24 hours.

Key Benefits

Using PartnerWeb, customers drive Renault V.I. sales. Once the customer has created a valid configuration, the salesperson can concentrate on fine tuning and closing the deal rather than having to start from scratch.

In conjunction with Firepond, Renault V.I. devoted a considerable amount of the project to perfecting ease of use while creating a rich multimedia information centre. Providing customers with an experience that more closely matches their day-to-day needs provides Renault V.I. with the means to foster and enhance customer loyalty.

For the dealer, PartnerWeb is encouraging a new approach to selling. Dealers are no longer geographically restricted and can now service a wider area. They can establish their own networks in new territories, while Renault V.I. provides consistent information, regardless of territory.

Futures

The initial rollout occurred in April 2001 and is expected to be fully deployed by 1st September 2001. "This is a great credit to the teams involved. This is a system that has more than 120,000 rules driving it in the background, and where we had to pay special attention to getting the customer interfaces correct," says Chmielewski.

Conclusion

Renault V.I. has achieved its objectives and met its ROI criteria. The savings in paperwork along with a massive reduction in both sales cycle and order entry errors has more than justified the project expenditure. "We have found a way to use new technology effectively, yet retain the human touch," concludes Chmielewski.

For more information on any of these products
visit www.firepond.com or email sales@firepond.com

